IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

NOTICE OF MOTION NO.985 OF 2003
IN
INCOME TAX APPEAL (LODGING) NO.253 OF 2003

The Commissioner of Income-tax,
City-XIV, Mumbai. Appellant

vs.
M/s.Hasmukh & Co. (P.G.) Respondent

Mr.Ashok Kotangale for the appellant.

Mr.Ajay Singh with M/s.K. Gopal & Pramod Kumar Parida
for the respondent.

CORAM : H.L.GOKHALE &
V.R.KINGAONKAR,JJ.

DATED : 24th July, 2006

P.C.

Heard Mr.Kotangale, learned counsel in support of the motion and Mr.Ajay Singh, learned counsel for the respondents.

2. The motion seeks condonation of delay of 16 days in filing the appeal. The explanation has been given in the supporting affidavit as to why the appeal could not be filed in time. The ground especially is that the re-structuring of the department was going on and that took time. Mr.Singh appearing for the respondent leaves it to the court to pass appropriate order.

3. In the circumstances, we grant the motion in terms

of prayer clause (a). The delay is condoned. The Appeal be numbered and listed for admission on 14th August, 2006.

(H.L. GOKHALE, J.)

(V. R. KINGAONKAR,J.)